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N. H. Goodwin

MESSAGE

OF Governor,

HIS EXCELLENCY,

N. H.

ICHABOD GOODWIN,

Governor of the State of New-Hampshire,

TO THE

SENATE AND HOUSE OF REPRESENTATIVES,

JUNE SESSION, 1860.

HARVARD UNIVERSITY
APR 30 1942
GRADUATE SCHOOL OF PUBLIC ADMINISTRATION

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GOVERNOR'S MESSAGE.

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Gift of
Wm. F. Goodwin, Esq.
of Concord, N. H.

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MESSAGE.

Gentlemen of the Senate and House of Representatives:

Assembled in these legislative halls, in obedience to the requirements of our laws and the constitution, I have now the honor to address you.

I am not unmindful of, nor insensible to, the honor conferred, and the confidence placed in me by the people, in my reëlection to the Chief Magistracy of this State, and to them I tender my grateful thanks. With solemn appreciation of the magnitude and importance of my obligations, if I distrust my ability wisely to discharge the duties of my office, I am sure I shall bring to their performance an honest intention to promote the advancement, honor and dignity of the State.

You are here in the discharge of responsible duties as legislators; to make, revise and proclaim such laws as your judgment and experience may dictate, and the public good may seem to require. The power delegated to you by the people is a sacred trust, and it must be your earnest desire to promote and protect their welfare, with a view to their best interest. Still, while strictly watching the rights of your immediate constituency, you should remember that it is equally incumbent upon you to guard the prosperity of the whole State. We, the representatives of a people surrounded with so many blessings, cannot but be profoundly grateful to an all-wise God for his goodness towards us. Public health has been preserved; the peace of the community has been undisturbed; the seasons have been propitious, and few years have been marked with more general prosperity in all industrial pursuits. Mechanical, manufacturing and commercial interests are recovering from recent depression, and I confidently

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hope will soon exhibit that degree of activity and success so much desired.

The new apportionment of public taxes will increase your labors, but I hope this additional call upon your attention will not materially prolong the session, although this would be a lesser evil than either hasty or insufficient legislation. Due deliberation is as much the duty of the lawgiver as economy, and the preservation of approved statutes as important as the redress of actual or prospective grievances. Experience is a better guide in legislation than theory. Modifications of laws, to suit individual cases, sometimes create greater evil than they cure. It will be found that the wisest legislators, though always ready to apply a remedy to clearly developed wrong, adopt changes in the general structure of laws with great circumspection. Conformity to well approved ordinances is an essential element in the character of a great people. When changes are demanded by the progress of society, and shaped by the teachings of experience, harmony and contentment are promoted; but when these are made without any such demand, and are adopted without proper caution, however good the intention may be, the effects are always injurious.

I invite you to examine the working of our new Judiciary System. Perhaps sufficient time has not elapsed to enable you to determine whether it will fully meet the wants and wishes of the people. When the system was adopted, it was my opinion that experience would prove one more judge to be necessary, in order to secure that thorough examination, and prompt decision of suits, which the people have a right to expect, and which the government is bound to secure. It is not only important to the parties litigant, and to the people, that disputes should be fully considered and promptly decided, but that the judges should not be so overtasked as to render their duties irksome.

If, upon examination, you find alteration clearly required for the successful working of this important branch of government, you will without doubt apply the appropriate remedy.

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I again call the attention of the Legislature to the large county expenditures, and recommend that they be carefully examined, particularly the outlay for the support of paupers. While no change should be made without careful deliberation, yet, in my judgment, this subject demands thorough consideration. I also, in this connection, advise that you inquire into the expediency of making provision by law for publishing in detail the journals of the proceedings of the several county conventions, held for laying taxes for county purposes.

The finances of the State are in a prosperous condition. I refer you to the report of the State Treasurer, for the details of receipts, expenditures, &c. By the books of the Treasurer it appears that the State debt, above assets, June 1, 1859, was $72,386.47. The indebtedness has been reduced the past year $22,299.32; leaving the debt of the State, June 1, 1860, $50,087.15.

For the condition of the banks in the State I refer you to the full and intelligent report which will be presented to you by the Bank Commissioners. This will show that our banks are generally fulfilling the objects for which they were incorporated. It is believed there is sufficient bank capital in the State to meet all the demands of a healthy business community; and should applications for new charters be made, they should in no case be granted unless the existence of an unquestionable local want can be made evident to you.

The inventories of the polls and ratable estates, returned for apportionment of the State tax in 1844, was $89,890,415. In 1856, $121,417,428. The agricultural capital, so far as can be gathered from these returns, is the preponderating interest in these amounts. These statistics show the rapid progress made in the various departments of agriculture, commerce, manufactories, mechanic arts, and in works of internal improvement.

It should be remembered that valuation, made for taxation, is, as a general thing, much below the actual worth of the property assessed, and particularly so when applied to the farming inter-

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est. During the period of the twelve years above mentioned, an advance of about 35 per cent. is indicated, and I have no doubt the inventories returned for the present year will show a proportionate increase. This progress should inspire confidence and perseverance; yet it is astonishing that the sons of farmers, as a general thing, look to any pursuit for a living, rather than to that in which they have the most sure guarantee for success.

A committee was appointed by His Excellency, Governor HAILE, to ascertain the amount of State lands in the town of Pittsburgh. It appears from the report of that committee that the State owns about 80,000 acres of wild, uncultivated land, much of it covered with a heavy growth. None of this seems available to the State; and, if we reason from past experience, it appears doubtful if any advantage from its sale can be realized over the expenses of disposing of it. The policy of the State heretofore has been, to establish, in their title and possession, those who have actually settled upon these lands, or else to bestow them by grants on educational institutions. In my judgment, in the hands of the State, no great benefit will ever be derived from them; still, I believe if they were owned and under the management of a small company, or corporation, they might be so managed as to be made productive. Under these considerations I would recommend that the State cede these lands to Dartmouth College; the proceeds to be applied to an agricultural department for the educational improvement of our young farmers; and that this, if practicable, be connected with the scientific department already established by the Chandler fund.

As the farming interest bears so large a proportion of taxation for the support of the State government, it seems but just that something should be done for its especial benefit. I know of no way in which its prosperity can be more effectually promoted than by giving it the opportunity and means of obtaining a scientific agricultural education.

The attention of the several State governments in New-England has been called to the alarming malady now prevailing

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among cattle in Massachusetts and its vicinity. So important is this subject considered in that State, as to induce the Governor to call together the Legislature, that provision may be made for its suppression. This disease, known in Europe for a century and a half as pleuro-pneumonia, is shown by experience to be almost uniformly fatal; also that it is infectious and contagious. It has already made its appearance in the town of Hillsborough, in this State; brought there by diseased cattle from Massachusetts. I would suggest that you take some decisive measures by which its spréad may be arrested. It is unnecessary to enlarge upon the disastrous results of this disease, should it sweep over our State; so large a portion of our wealth being invested in cattle.

The condition of our Railroads is not materially improved, and where there is advancement it may generally be traced to consolidation. In my message last year I alluded to the propriety of exempting from taxation those railroads which, while promoting the wealth of the State, yield no income to their stockholders. No one can doubt the benefit these roads have been, in opening and developing our resources, and it seems unjust that this non-paying property should be taxed, simply because in operation.

I refer you to the reports of the Board of Trustees and the Superintendent of the Asylum for the Insane for full statements as to its condition and affairs. It appears from these reports that the income from the patients, farm and endowments, is sufficient to render it self-sustaining. The number of patients admitted the last year was eighty-five. The number discharged was sixty-six. Remaining, one hundred and eighty-four. I cheerfully bear testimony, from personal observation, to the science, skill and good judgment shown by Dr. BANCROFT, both in the internal and external condition of the Asylum. You will probably make the usual appropriation for the indigent insane. The application of half this fund to the pauper insane of towns is a humane and benevolent act. This relief, furnished to the towns, enables them to place their insane in the asylum, instead of

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keeping them in their alms-houses, which was formerly the practice for the sake of economy.

An addition to the main building is much needed, to afford more room to the Superintendent, the officers and employees of the Asylum; but more especially to give another room, or hall, to the convalescent patients, in order to remove them from those less sane, preparatory to their discharge. This addition, which would cost from five to six thousand dollars, I consider of great importance. It is for you to judge, after an investigation by your committee, if such an appropriation is necessary and proper.

The management of the House of Reformation has been judicious and provident. Too much commendation cannot be accorded to Mr. SHATTUCK, the Superintendent, and his wife, aided by the President of the Board of Trustees, for their efforts in so well sustaining the efficiency of the establishment, with such limited means. I consider this institution of almost equal importance with the Insane Asylum, and believe that, even in its incipient stage, it promises to fulfill the warmest expectations of its originators and early friends.

There have been admitted the past year 19 boys, 3 girls; discharged, 9 boys, 1 girl; remaining, 34 boys, 7 girls. The discipline pursued is reformatory; never degrading or depressing. As a general thing, those discharged have left much improved in character, and could they be placed under healthy moral influences, we might look most hopefully to their future.

This institution should be wholly sustained by the State, as otherwise it may fail to accomplish the object for which it was designed. By the present law, towns are taxed one dollar per week for the support of those offenders committed by them. Unwilling to incur this expense, they either send them to alms-houses or jails, or they are left to pursue a course of crime, until hardened in vice, advanced in years, and dangerous to the community, they are sent, as a last resort, to the House of Reformation, where their influence upon children commencing a better life is exceedingly pernicious. In this way our depraved youth

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are denied the benefits expressly designed for them by this establishment. Should it be thought best to continue the present system, I would suggest that the rate of board be reduced to forty, or at most fifty cents per week, thus making it the interest of towns and cities to place their juvenile offenders at the Reform School under all circumstances, at the same time *holding themselves responsible for all whom they may enter.*

I refer you to the report of the Trustees for a full statement of the condition and affairs of this institution. In it they ask an appropriation of five thousand dollars, with which to cancel present indebtedness, and also that they may have a small cash capital for necessary purchases.

In my message last June I alluded to the apparently prosperous condition of the affairs of the State Prison; approving the discipline, cleanliness, and good management of the prisoners. I then reported an income of about two thousand dollars over the expenses of maintaining the establishment, which the warden's report and books fully verified. But further examination soon developed the fact that the warden, Mr. Eastman, had appropriated for his own purposes $4,528.23, and could not respond for the balance, which, as shown by his books, should have been placed to the credit of the State. With advice of the Executive Council, I procured, without delay, the resignation of this warden; appointing a Commission to take charge of the books and assets in his hands; and, immediately informing his bondsmen of the defalcation, demanded payment. I am happy to say they at once admitted their liability and readiness to respond, whenever the Commission should ascertain the amount due; only asking a little indulgence in order to make their arrangements. This obligation has been fulfilled and the deficiency made good. Claims have been presented by the officers of the bank at which Mr. Eastman's accounts were kept, for over drafts and notes discounted. I have not considered it my duty to recognize these, believing that neither the State nor his bondsmen are legally responsible for such transactions. Should these demands be pre-

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sented to the Legislature, it must rest with you to decide whether or not they shall be paid. I deem it a subject for much consideration, how far the State should acknowledge irregular and overt acts committed by its agents or officers.

A new work-shop is indispensable to the profitable employment and even safety of the prisoners. A contingent appropriation, not to exceed five thousand dollars, was made by the last Legislature for this purpose. As a portion of this has been made available, materials have been purchased, and contracts entered into, for a section of the building, which is now in process of erection. I would respectfully recommend that a further appropriation be made, sufficient to complete this structure in the course of the present summer. Under judicious management, the income from the prisoners will soon refund to the State the amount disbursed.

I have in the past year given some attention to the affairs of the prison, under the management of its present warden, Mr. Foss. The discipline is excellent, the prisoners well cared for, and their provisions good and wholesome. The financial affairs of the prison are well looked after, and the expenditures economical. The new barn, for which an appropriation was made last year, has been built. For full particulars, I refer you to the reports of the Warden and Examining Committee, which will be presented for your information.

I would recommend the usual appropriation for the Indigent Deaf Mutes and the Indigent Blind.

There are now at the Asylum for the Deaf and Dumb at Hartford, as beneficiaries of the State, five girls and nine boys. At the Asylum for the Blind at South-Boston, six girls and one boy. No charities of the State are more judiciously bestowed than these.

The attention of the Legislature was directed last year to the importance of an appropriation for a fire-proof safe, for the reception and preservation of the State papers and records, now in the office of the Secretary of State, or scattered in other portions of

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the State House. In their present position, these papers are liable to loss by fire or decay, and it seems necessary that some course be immediately adopted, which shall transmit them to posterity, unimpaired. In this connection I respectfully call your attention to repairs needed on the State House;—viz., painting, pointing and glazing—and recommend an appropriation of one thousand dollars for this object.

From the reports presented by the Board of Education, based upon the returns of the superintending school committees, this department appears in as prosperous and thriving a condition as can be expected from one so constituted. No interest of our State demands more watchful and fostering care than that of our public schools, and there is none in which the community at large is so deeply concerned. It is doubtful whether our present Board of Education can effect the important purposes desired. The compensation given to each member is too small to authorize the devotion of much time to the duties of his office; still less can it remunerate for preparation to discharge its requirements intelligently; and yet, the present system is one of great expense, from its want of concentration. Education is now both a science and an art. Its philosophy merits and rewards profound study, while its improved and rapidly improving processes demand leisure and ability, much reading and extensive correspondence. Even were the compensation adequate, it is by no means certain that a competent person, willing to accept the office, can be found in every county; or, if there are such persons, in the eager competition for every remunerative place under the government the Executive would be by no means sure of ascertaining their merits, or securing their services.

The only system from which decidedly beneficial results can be anticipated, is that under which education shall be made a distinct department of the State government, with a permanent secretary, selected expressly for his eminent and well known qualifications and attainments, and holding office on a term which shall render him independent of the fluctuations of party politics. It should

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be his duty to receive and arrange for preservation, the school returns from the whole State; to conduct correspondence for the interchange of information and opinions, with similar functionaries in other States, and with distinguished educators on both sides of the Atlantic; to hold educational conventions, and deliver lectures, once or oftener, every year, at some central, or easily accessible place in each county, and prepare, annually, a report from the several towns, together with such recommendations for the improvement of the public schools as may be commended to his approval, by his observation, reading and correspondence. It is doubtful whether it would be an object to associate a Board of Education with such a Secretary; especially as his functions would be advisory, and not authoritative. If, however, it be deemed expedient to create a board, its members should receive no compensation beyond the reimbursement of expenses actually incurred, in attending stated meetings; an arrangement which would effectually prevent any from seeking or accepting the office, except persons sincerely interested in the cause of education. Were such a board constituted, it would perhaps be an open question of how many it ought to consist. For convenience of meeting and dispatch of business, *three*, or at most *five*, would be preferable to a larger number; while a board including a member from each county might be a means of deepening the interest in common school education throughout the State. It is believed by many that the Teachers' Institutes, now sustained by law, have in a great measure failed to meet the wants of progressive education. It is worthy of inquiry whether the money now required by law to be raised for this purpose might not be advantageously assessed upon the towns and cities, to defray the salary of a Secretary of Education, and the expenses of his office. It is for you to consider whether any change in the present system is advisable, and if so, what that change shall be.

The cause of Temperance should always command your careful attention. It is believed that the present law meets, in a very considerable degree, the object desired. If it does not effect all

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that can be wished, no one can doubt that it has been productive of much good. It cannot be expected that public opinion should undergo an immediate change on this subject, when we consider that rival political parties so often make capital of reformatory laws, by representing them as abridging the rights of the people.

The State Militia is a branch of the government, recognized as necessary by our constitution, and has received, from the beginning, the attention of the State, in a greater or less degree. Owing to the long period of peace enjoyed throughout the country, and to other considerations, the militia for a time fell into neglect if not disrepute, and as an active organization it was abolished several years ago. The act of 1857, by simplifying and systematizing the enrollments, opened the way for such an organized force as the people might demand. Under this act several companies have been enrolled, some of which merit high commendation for the ardor with which they have devoted themselves to their duties. Besides these, we have in New-Hampshire the Amoskeag Veterans, a battalion of infantry, organized under a special act, which would be an honor to any State. The Governor's Horse Guards, a regiment of cavalry, also composed of the elite and chivalry of the State, has been recently organized, and promises to compare favorably, for efficiency and soldierly bearing, with any military company in the country. It is an historical fact, that, wherever a military spirit has been diffused among a people, we find recorded a love of liberty, essential to the maintenance of a free government; and it is a source of much gratification to see this sentiment again reviving among us.

I refer you to the report of the Adjutant-General for a statement of the numerical strength of the militia of this State; also for the amount and condition of ordnance, small arms, and other military property deposited in the arsenals at Portsmouth and Lancaster, or in the hands of volunteer companies. On examination of the arsenals I have found the ordnance and other military equipments in good order.

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The present aspect of our national affairs may seem to call for a passing remark. Sectional strife and threats of disunion, while assuming a more and more violent and dangerous form, are not unusual upon the recurrence of each Presidential canvass. They have hitherto been overruled by the sober good sense of the people; being but the familiar tricks of partizan presses and partizan politicians, and chiefly intended for the transient purpose of promoting personal ends, and securing the rewards of political victory. They who seek to kindle sectional animosities by misrepresenting the character and designs of the people of one portion of the country, in order to excite the jealousy and hostility of another portion, thereby endangering the permanency of the Union of these States, deserve, and must eventually incur, the condemnation of all true patriots and right minded men throughout the country. As good citizens it becomes us not to despair, and as wise men not to be frightened by mere bluster and passion. New-Hampshire declares, to all disorganizers and disunionists, wherever found, that she stands by the Union and the Constitution, determined to defend and protect them to the full extent of her power and resources; by the Constitution, as interpreted *not* by any new lights, sectional cliques or party platforms, but by itself, its framers, and the precedents of all departments of the Federal Government.

ICHABOD GOODWIN.

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